

**SUMMARY OF THE
PROGRAM POLICY AND STRUCTURE COMMITTEE MEETING
DECEMBER 14, 1999**

The Program Policy and Structure Committee of the National Environmental Laboratory Accreditation Conference (NELAC) met Monday, December 14, 1999, at 1 p.m. Eastern Standard Time (EST) as part of the Fifth NELAC Interim Meeting in Washington, DC. The meeting was led by its chair, Dr. Marcia C. Davies of the U.S. Army Corps of Engineers. A list of action items is given in Attachment A. A list of participants is given in Attachment B. *The purpose of the meeting was to gather information and hear proposed changes to Chapter 1 of the NELAC Standards that the committee needs to consider by the Sixth NELAC Annual Meeting.*

INTRODUCTION

Dr. Davies began the meeting with an introduction of the committee members. This was an information gathering session and an opportunity to propose changes to Chapter 1. Dr. Davies reviewed the ground rules and the proposed agenda with the audience.

PROPOSED CHANGES

Section 1.6.3

Mr. John Anderson, chair of the Accrediting Authority Committee, introduced Dr. Jefferson Flowers who presented to the audience the Accrediting Authority Committee's rewording of Section 1.6.3 concerning the Accrediting Authority Review Board (AARB).

- Proposed language presents a metered way to put representatives on the AARB. The Accrediting Authority Committee believes there needs to be some process of control as to who can be on the AARB, so that it is a well-balanced group.
- The AARB will conduct a complete review of the National Environmental Laboratory Accreditation Program (NELAP) on how the NELAC Standards are administered and will report on this at the Annual and Interim Meetings. The AARB will also conduct an annual audit of the NELAP Process.
- This process was instigated by the states' concerns.
- Because the AARB is a nonvoting entity, Ms. Jeanne Mourrain of the U.S. Environmental Protection Agency (USEPA), director of the NELAC/NELAP, consulted lawyers about private sector participation and the response was negative. Since the committee makes recommendations a suggestion to strike the words voting and non-voting was proposed.
- Although AARB reports to Ms. Mourrain, it has to be outside the NELAC structure.
- There are comments coming from the Board of Directors and the Accrediting Authority Committee on the AARB proposal.

Ms. Mourrain will take the audience recommendations under advisement.

Dr. Davies suggested that Mr. George Avery of the Arkansas Department of Health submit his recommendations to the committee for review. She also requested that participants submit any additional comments by the deadline if they want them to be considered for voting at the Sixth NELAC Annual Meeting.

The Accrediting Authority Committee will revise the proposed language and resubmit the proposal to the committee. The committee agreed to revise the wording as marked below:

1.6.3.e.2 (Proposed Changes Handout)

serve as an ~~appeal~~ review board for accrediting authorities...

1.6.3.e.4.iii) (to be added to Proposed Changes Handout)

“...to review issues referred by the NELAP Director, which may include matters raised by entities other than the accrediting authorities. In all cases, the final decision remains with the NELAP Director. The AARB will report on its activities to the Board of Directors at each annual meeting.”

Section 1.8.2

It was proposed that the last sentence in Section 1.8.2 should change the AARB reference to Accrediting Authority Committee.

Proposed Changes/Additions to the Glossary

Dr. Tom McAninch has taken responsibility for making changes and additions to the Glossary. The Quality Systems Committee suggested including references to the section(s) of the standards that use the definition. The committee returned this referral to the Quality Systems Committee because they felt this would not add enough benefit when compared to how much work would be involved.

The audience suggested the following terms be addressed by the committee:

Assigned Value. The audience commented on the proposed definition that the Proficiency Testing Committee submitted. They modified the definition to read as follows:

“ASSIGNED VALUE: Gravimetric true concentration attributed to a particular analyte, corrected for purity and typically validated via replicate analyses against Standard or Certified Reference Material, and accepted sometimes by convention, as having an uncertainty appropriate for a given purpose. Under certain circumstances, the assigned value may be a study data set robust mean or predictive mean response derived from a linear regression equation. See the National Standards for Water Proficiency Testing Studies Criteria Document, for additional information. (USEPA/NIST)”

Quantitation Limits. Since the Quality Systems Committee is working on this definition, Dr. McAninch will forward comments from the audience to them.

Interdependent Analytes. This definition should be deleted because the term has been eliminated from the standards.

Matrix. This definition needs to be revisited.

Trip Blank. The standards will need to be checked to determine if the terms field blank and trip blank are included.

Field of Testing. This definition should be renamed Scope of Accreditation and a new definition of Field of Testing should be developed.

Confidential Business Information (CBI). There was a concern regarding CBI and states' requirements regarding CBI. Since this is referred to in Chapter 3, Section 3.4.5, the committee felt this should be handled by the On-site Assessment Committee.

Government Laboratory. Definition to be developed.

Private Laboratory. Definition to be developed.

Dr. Davies questioned the relevance of USEPA Quality Assurance Division (QAD) references within the NELAC Standards since EPA has reorganized and the major portion of QAD is now the Quality Staff in the new Office of Environmental Information. It was decided that since these documents still exist and are referred to, this citing is appropriate.

Dr. McAninch requested that participants e-mail him any other comments and suggestions regarding the Glossary.

FIELDS OF TESTING/SCOPE OF ACCREDITATION

Many participants believe this issue still needs to be resolved and as it stands, reciprocity appears impossible. The Environmental Laboratory Advisory Board (ELAB) previously proposed an *ad hoc* group from various stakeholders. The committee discussed an approach that had been developed by Dr. Mike Miller. They did not object to the methodology used in this approach and Dr. Davies suggested this be distributed to the other committees for their review.

FEDERAL ACCREDITING AUTHORITIES AS SECONDARY ACCREDITORS

Ms. Jackie Sample of the Department of Defense (DoD) presented the proposal from the Federal Partners on a change in wording in Section 1.5.3, Reciprocity. The proposed wording is included here and will be posted on the NELAC Website for review.

1.5.3 Reciprocity

Reciprocity means that an accrediting authority will recognize and accept the accreditation status of a laboratory issued by another NELAP accrediting authority. This principle of reciprocity is an element of the national accreditation standard to which all accrediting authorities are held (see exception in 1.5.3.1). In recognizing the accreditation status of a laboratory through reciprocity, the accrediting authority assumes the responsibilities of a secondary accrediting authority as stated in Section 1.5.2.3.2. A State, in the role of a secondary accrediting authority, which has a law or decision resulting from a legal action, the legal effect of which precludes that State from granting any accreditation to a particular laboratory, is not required to accept the accreditation of this laboratory.

Reciprocity among the environmental laboratory accreditation authorities is necessary to the success of a national program. The essential ingredient of reciprocity is uniformity from one accrediting authority to another. The mechanisms to assure this uniformity (e.g., uniform national performance standards, thorough and consistent inspections, and comparable decisions on accreditation status when deficiencies are uncovered) are necessary to ensure that reciprocity is equitable.

1.5.3.1 Reciprocity Exemption for Federal Agencies

The NELAC standard on reciprocity does not apply to federal NELAP-recognized accrediting authorities. Federal agencies may not serve as the primary or secondary accrediting authority for any private sector laboratory. If a federal agency requires that a private sector laboratory be accredited in accordance with NELAC standards in order to perform analyses on a federal project, the federal agency shall accept the accreditation granted by a NELAP-recognized state accrediting authority for the requested field(s) of testing (which may be program, method, and or analyte-specific). The acceptance of a laboratory's state accreditation by a federal agency does not imply that the laboratory has been granted secondary federal accreditation. No laboratory may claim either primary or secondary accreditation by a federal agency even if the laboratory is performing analyses under contract to a federal agency.

TRIBAL NATIONS

At the Fifth NELAC Annual meeting which was held in June 1999 in Saratoga Springs, NY, alternatives were explored regarding tribal participation in NELAP. The NELAC Board decided at that time that the USEPA Regional Offices would handle this and the USEPA Regional staff are working with Indian Nation Coordinators.

NEW BUSINESS

Revisions to Section 1.6.1 will be addressed at later meetings and no wording was proposed.

**ACTION ITEMS
PROGRAM POLICY AND STRUCTURE COMMITTEE MEETING
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Item No.	Action	Date to be Completed
1.	Accrediting Authority Committee will make revisions to their changes to proposed wording for Section 1.6.3 and resubmit this to the Program Policy and Structure Committee.	
2.	Dr. McAninch will address comments on the Glossary Terms and the committee will discuss these at upcoming meetings.	
3.	Proposed changes to Section 1.5.3 on Reciprocity will be posted on the NELAC Website for review.	

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PROGRAM POLICY AND STRUCTURE COMMITTEE MEETING
DECEMBER 14, 1999**

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